



In the United States Patent and Trademark Office

Serial Number: 09/641,410
Preliminary class: 426
Appn. Filed: 08/18/2000
Applicant: Alice O. Kiely
Appn. Title: Edible supports for Comestibles with Optional, Edible Mess Guards and Drip Guards
Examiner/GAU: /1761

Mailed April 25, 2001

At: Yorktown Heights, NY

Commissioner for Patents
Washington, District of Columbia 20231

Petition To Accord Filing Date

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DEC 19 2001

Sir:

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Applicant respectfully requests that the above application be accorded the original filing date of 18 August, 2000.

This petition is in response to communication from the Patent and Trademark Office dated 5 October, 2000 for Notice of Missing Items and communication 29 March, 2001 for Notice Dismissing Petition. The communication of 29 March, 2001 states that the petition was dismissed because sheet 19/19 was not with the original papers filed 18 August, 2000. This latter communication also stated that the application file would be forwarded to the Office of Initial Patent Examination for further processing with a filing date of 18 August, 2000 using 18 sheets of drawing and an indication in the office records that 18 sheets of drawings were present

on filing.

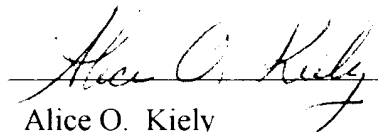
Applicant received further communication dated 4 April, 2001 for receipt of a nonprovisional Patent Application with the serial number 09/641,410 and a filing date of 29 March, 2001.

Applicant respectfully maintains that a complete application was filed on 18 August, 2000, including sheet 19/19, with six figures labeled 43A-43D, 44A, and 44B. These six figures should have been labeled 41A-41D, 42 and 43. In order to prevent delay, applicant mailed a petition for Approval of Proposed Drawing Amendment on 18 October, 2000 to correct the labeling of the figures on sheet 19/19.

On 14 April, 2001 applicant submitted for the file, a copy of the applicant's receipt postcard given the serial number 09/641,410 and dated 18 August, 2000 listing 107 pages of specification, claims and abstract and 19 pages of formal drawings received from the filing of the above application, documenting that a complete case had been received at the time of filing. For your convenience, an additional copy of this receipt postcard is attached.

In light of the above information, applicant respectfully requests that the above application in its entirety be accorded the original filing date of 18 August, 2000.

Very Respectfully,


Alice O. Kiely

Enc. Receipt postcard dated 04/25/01
 Copy of receipt postcard dated 08/18/00

Address: 71 Stonewall Court
Yorktown Heights, NY 10598

The following received today
Patent application for Alice Kieley
for "E S for Can" consisting of
107 pages of specification, claims
and abstract, declaration signed Dec.
Aug. 18. 17 sheets formal drawing, small
entity declaration, check no. for
\$495.00 2 Fee transmittal copies, 125

10784 U.S. PTO

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